

Hon. Tiffany M. Cartwright

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA

MARCINE CHRISTNER, an individual,

Plaintiff,

v.

STATE FARM FIRE AND CASUALTY
COMPANY, a foreign corporation,

Defendant.

NO. 3:23-cv-05616 TMC

THIRD STIPULATION AND
ORDER TO STAY
PROCEEDINGS

STIPULATION

Plaintiff Marcine Christner (“Ms. Christner”) and Defendant State Farm Fire and Casualty Company (“State Farm”), through their respective counsel, stipulate and agree as follows:

1. This is an insurance coverage dispute related to State Farm’s coverage obligations for Ms. Christner’s insurance claims arising from a December 6, 2021 fire at her home located at 4360 Oak Bay Road, Port Ludlow, Jefferson County, Washington (the “Property”).

2. The Property is insured by State Farm under Policy No. 47-BN-D030-0, with a policy period of January 28, 2021 through January 28, 2022 (the “Policy”).

3. Ms. Christner has asserted claims under the Policy related to the value of her personal property, replacement of the Property, and other matters.

4. Ms. Christner has now submitted an inventory of her personal property to State Farm. Ms. Christner, through her public adjuster, and State Farm are continuing negotiate differences between Ms. Christner's personal property inventory and State Farm's inventory and to adjust Ms. Christner's claims under the Policy.

5. Until State Farm finishes adjusting Ms. Christner's claims—which has taken longer than either party anticipated—the parties will not know the true extent of their disagreement that needs to be litigated in this action. The parties are hopeful that Ms. Christner's claims will resolve through the claims adjusting process, without the need for further litigation.

6. The Policy includes a provision that required Ms. Christner to file suit against State Farm within one year of the date of loss. State Farm agreed to a six-month extension of this deadline but did not agree to a further extension before the deadline to file suit arrived. To comply with the provision and preserve her rights under the Policy, Ms. Christner filed suit against State Farm in the Jefferson County Superior Court of and for the State of Washington.

7. State Farm timely removed this lawsuit to the United States District Court for the Western District of Washington.

8. Allowing State Farm to complete the adjustment process before further litigation occurs will significantly narrow the issues in dispute and potentially lead to this matter being resolved in its entirety without the need for the parties to incur significant additional attorneys' fees and costs.

9. Judicial economy is best served by an additional two-month stay of the proceedings so that State Farm can finish adjusting Ms. Christner's insurance claims.

1 10. Ms. Christner has requested that State Farm stipulate to a continued stay of this
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3 action pending State Farm's completion of the adjustment process. State Farm has agreed to
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5 Ms. Christner's request and is doing so without waiver of or prejudice to any position it may take
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7 in this or in any other declaratory judgment action regarding Ms. Christner's insurance claims
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9 against State Farm arising from the December 6, 2021 fire at the Property.

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11 11. In light of the foregoing, IT IS HEREBY STIPULATED AND AGREED, by and
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13 between counsel for Ms. Christner and State Farm, that:

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15 a. This action, including the August 26, 2024 FRCP 26(f) Conference deadline and
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17 all other deadlines and dates, should be stayed until October 28, 2024.
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19 b. Either party may move the Court to terminate the stay upon 15 days' written
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21 notice to the other party.
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23 c. On or before October 28, 2024, the parties shall serve their Initial Disclosures
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25 pursuant to FRCP 26(a)(1) and their Joint Status Report and Discovery Plan as
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27 required by FRCP 26(f).
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29 d. The parties respectfully request that the Court enter the subjoined order
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31 containing the terms of the stay.
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1 DATED this 22nd day of August, 2024.

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3 **GORDON TILDEN THOMAS & CORDELL LLP**
4 Attorneys for Plaintiff

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16 DATED this 22nd day of August, 2024.

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18 **SINARS SLOWIKOWSKI TOMASKA LLC**

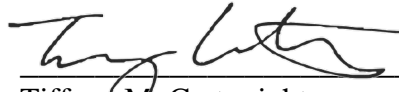
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20 s/ James D. Hicks

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ORDER

Based on the foregoing stipulation, IT IS SO ORDERED that this case is STAYED until October 28, 2024. Either party may move the Court to terminate the stay upon 15 days' written notice to the other party. The parties are DIRECTED to file their Initial Disclosures pursuant to FRCP 26(a)(1) and their Combined Joint Status Report and Discovery Plan as required by FRCP 26(f) by October 28, 2024.

IT IS SO ORDERED THIS 23rd day of August, 2024.



Tiffany M. Cartwright
United States District Judge